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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/630,875	07/30/2003	Garry E. Balthes	29595/82608	7941

7590 12/18/2008  
BARNES & THORNBURG  
600 One Summit Square  
Fort Wayne, IN 46802

EXAMINER
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CHRISS, JENNIFER A

ART UNIT	PAPER NUMBER
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1794

MAIL DATE	DELIVERY MODE
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12/18/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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*Ex parte:* GARRY E. BALTHES,  
DARRELL R. EGGERS,  
AND HARRY R. HICKEY

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Application No. 10/630,875  
Technology Center 1794

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Mailed: December 17, 2008

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Before DELORES LOWE, *Review Team Paralegal*  
LOWE, *Review Team Paralegal*.

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received by the Board of Patent Appeals and Interferences on August 18, 2008. A review of the application revealed that it is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner to address the following matter requiring attention prior to docketing.

**EXAMINER'S CONSIDERATION OF REPLY BRIEF**

A Reply Brief was filed in this application on December 28, 2007. There is no evidence on the record indicating that the Examiner has considered the Reply Brief in accordance with 37 CFR CFR § 41.43(a)(1) and MPEP § 1208, part II.

1) consider the Reply Brief filed December 28, 2007 as indicated above;

2) for such further action as may be appropriate.

If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

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